

AY 1638



PATENT  
ATTORNEY DOCKET NO.: 054163-5001

*[Handwritten signature]*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	<b>BOX AF</b>
	)	
Stephen A. JOBLING <i>et al.</i>	)	
	)	
Application No.: 09/297,703	)	Group Art Unit: 1638
	)	
Filed: July 19, 1999	)	Examiner: A. Kubelik
	)	
For: IMPROVEMENTS IN OR RELATING TO	)	
STARCH CONTENT OF PLANTS	)	

Commissioner for Patents  
Washington, D.C. 20231

Sir:

**RECEIVED**

NOV 20 2002

TECH CENTER 1600/2900

**AMENDMENT TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment responding to the Final Office Action dated May 16, 2002.

2. Additional papers enclosed:

- ☒ Notice of Appeal to the Board of Patent Appeals and Interferences
- ☒ Transmittal of New Drawings to Correct Informalities
- ☒ Drawings: ☒ Formal (33 sheets)
- ☒ Associate Power of Attorney
- ☒ Declaration under 37 CFR 1.132
- ☒ Statement Accompanying Sequence Listing
- ☒ Paper Copy of Sequence Listing
- ☒ Computer-Readable Copy of Sequence Listing

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input checked="" type="checkbox"/> three months	\$ 920.00	\$ 460.00
<input type="checkbox"/> four months	\$ 1,440.00	\$ 720.00

Extension of time fee due with this request: \$920.00

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	79	minus	36	43	x \$18 each=	+ \$774.00
Independent Claims (37 C.F.R. §1.16(b))	6	minus	5	1	x \$84 each=	+ \$84.00
[ ] First presentation of Multiple dependent claim(s)					\$280.00	+ \$
SUB-TOTAL =						\$858.00
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$858.00

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ Check in the amount of \$2,098.00 (\$920.00 – 3 month EOT, \$320.00 – Notice of Appeal and \$858.00 – Excess claims). The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: November 18, 2002

By: Erich E. Veitenheimer

Erich E. Veitenheimer  
Reg. No. 40,420

**CUSTOMER NO. 09629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Telephone: (202) 739-3000  
Facsimile: (202) 739-3001

The PTO did not receive the following  
listed item(s) A check of \$2098.00